



CITY OF NEW HAVEN

TONI N. HARP, MAYOR

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January 2, 2019

Mayor Joseph Maturo, Esq.
Town of East Haven
250 Main Street
East Haven, CT 06512

John Picard, Chairman
Tweed New Haven Airport
155 Burr Street
New Haven, CT 06512

Re: Terminating the March 16, 2009 Memorandum of Agreement

Gentlemen:

On March 16, 2009, the City of New Haven, John DeStefano, its then Mayor, the Town of East Haven, by its then Mayor and the Airport Authority signed onto a "Memorandum of Agreement Concerning Tweed New Haven Regional Airport..." (MOA), to which reference may be had. By the terms of that MOA, the City, the Town and the Authority agreed, inter alia, that the main runway at the Airport "...shall be limited to the existing paved runway length of 5,600 linear feet."

The MOA was also endorsed by a "Statement of State Legislative Partners," signed by two (2) State Senators and three (3) members of the House of Representatives.

"(c) By its terms, the MOA reserved to the City of New Haven the right to terminate it if the State of Connecticut fails to enact the Legislative Initiatives contained in Section III of this Agreement in the 2009 Legislative Session."

The State failed to enact all of the Legislative Initiatives set forth in the MOA. See subsections 1.c and 2.a of the Legislative Initiatives.

Further, the provisions of the MOA concerning 30 commercial departures per day and 180,000 commercial enplanements per year for Tweed have never materialized at the Airport. In fact, commercial departures per day has never topped five (5) and annual enplanements has never topped 36,010, since 2009. The economic health of the Airport has deteriorated, and the Airport has failed to play the vital role in the region envisioned by the MOA. As of 2018, the City annually contributes \$350,000 and the State some \$1,500,000 annually to subsidize the Airport operations.

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On November 24, 2015, the Authority commenced a lawsuit in the United States District Court seeking to have the State Legislation enacted in 2009, limiting the existing paved runway to 5600 linear feet, declared null and void, in light of federal preemption and the claim of the Federal Aviation Administration that it alone has jurisdiction over navigable air space – defined as the airspace needed to insure safety in the take-off and landing of aircraft. On April 18, 2016 the Court granted the City's Motion to Intervene in that litigation which remains pending on appeal to the United States Court of Appeals for the Second Circuit.

For the City of New Haven, I have determined that the MOA of some nine-plus years ago does not serve the best interests of the City and, in fact, hinders economic growth in the City and the region. I hereby terminate the Memorandum of Agreement dated March 16, 2009.


Toni N. Harp, Mayor

CC: Senator Martin M. Looney
Senator Leonard A. Fasano